

**BEFORE THE MAYOR  
AND THE CITY COUNCIL  
OF THE CITY OF ALBION, IDAHO**

**CASSIA COUNTY**  
RECORDED FOR:  
CITY OF ALBION  
12:14:12 pm 12-10-2008  
**2008-006626**  
NO. PAGES: 4 FEE: \$  
LARRY A. MICKELSEN  
COUNTY CLERK  
DEPUTY: VIKI

**ORDINANCE NO. 2008-12-1**

**[Amending Ordinance No. 2008-04-1]**

**AN ORDINANCE OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO AMENDING ALBION CITY ORDINANCE 2008-04-1, TO CORRECT ERRORS IN LEGAL DESCRIPTION OF REAL PROPERTY ANNEXED INTO CITY, WHICH UNDERLYING ORDINANCE PROPOSES ANNEXING ADJACENT AND CONTIGUOUS LANDS TO THE CITY OF ALBION, IN CASSIA COUNTY, IDAHO; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Albion, following the public hearing process as by law provided, authorized an ordinance to annex certain real property into the City of Albion;

WHEREAS, the Ordinance, as published, set forth a legal description of the subject real property that contained two errors, that while not posing issues of identifying the actual property for purposes of identification, did not allow for sufficient "closing" of the legal description to meet Idaho State Tax Commission requirements;

WHEREAS, an amended legal description for the annexed property has been presented and is attached hereto as "EXHIBIT 1" such that it should meet the Idaho State Tax Commission requirements;

WHEREAS, a certain thirty-one acres, more or less, of land lies adjacent and contiguous to the City of Albion in Cassia County, Idaho;

WHEREAS, that certain land is more particularly described in the legal description set forth in "EXHIBIT 1", which is attached hereto and incorporated herein by reference as though fully set forth herein; and

WHEREAS, the owners of those parcels have requested annexation by the City pursuant to provisions of Idaho Code Title 50 Chapter 2 by first making such request to the City of Albion's Planning and Zoning Commission, which Commission held a public hearing, pursuant to notice given, and made written recommendation to the City Council that annexation be allowed; and

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WHEREAS, upon receiving the written recommendation from the City Planning and Zoning Commission the City Council of the City of Albion, held a public hearing, pursuant to notice given, on February 5, 2008 and March 4, 2008, which hearing is a matter of record in the minutes of that body for the meeting held on those days as referenced; and

WHEREAS, the private landowners of the property for which annexation is sought are the applicants, and they raise no objection to the annexation;

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO, AS FOLLOWS:**

FIRST: That the real property described in "EXHIBIT 1" hereto, which is incorporated by reference as though fully set forth herein, and all lying in Cassia County, Idaho, be and the same is hereby annexed to the City of Albion, Cassia County, Idaho.

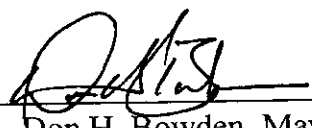
SECOND: The members of the City Council, by vote and pursuant to Idaho Code ' 50-902, dispensed with the rule requiring three (3) readings.

THIRD: This ordinance shall take effect and be in full force from and after its passage, approval and publication.

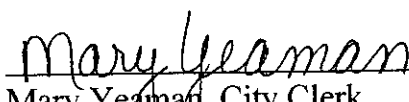
PASSED this 2<sup>nd</sup> day of December, 2008, by the City Council of the City of Albion, Idaho, on roll call vote.

APPROVED this 2<sup>nd</sup> day of December, 2008, by the Mayor of the City of Albion, Idaho.

The City of Albion, Idaho

By:   
Don H. Bowden, Mayor

Attest:

  
Mary Yeaman, City Clerk



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# EXHIBIT 1

September 24, 2008

## ANNEXATION DESCRIPTION FOR THE CITY OF ALBION

TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 6: Part of the S½SE¼ the NE¼SW¼, more particularly described as follows:

Beginning at the Southeast corner of said Section 6 (monumented by a 5/8 inch rebar with a 3 inch Cassia County cap); Thence along the South section line South 89°33'54" West for a distance of 1118.41 feet to the Point of Beginning;

Thence North 00°23'25" West for a distance of 167.11 feet;  
Thence North 56°30'53" East for a distance of 326.87 feet;  
Thence North 89°38'12" East for a distance of 175.16 feet;  
Thence North 00°24'26" West for a distance of 254.80 feet to the Westerly right-of-way of State Highway 77;  
Thence North 45°49'00" West along said westerly right-of-way for a distance of 287.37 feet;  
Thence South 89°33'54" West for a distance of 420.02 feet;  
Thence South 89°33'54" West for a distance of 849.35 feet to a point on the centerline of Main Street;  
Thence North 00°45'15" East along the centerline of Main Street for a distance of 523.62 feet to a point on the common line that is the southerly boundary of the existing Albion City Limits and the northern boundary of the S1/2SE1/4 of said Section 6;  
Thence South 89°31'04" West along said common line a distance of 450.82 feet to a point on the common line that is the southerly boundary of the existing Albion City Limits and the eastern boundary of the Mountain Meadows Subdivision;  
Thence South 00°49'18" West along said common line a distance of 289.26 feet to the southeast corner of the Mountain Meadows Subdivision;  
Thence South 89°33'41" West along the common line that is the southerly boundary of the existing Albion City Limits and the southern boundary of the Mountain Meadows Subdivision a distance of 148.05 feet;  
Thence South 01°18'23" West a distance of 336.98 feet;  
Thence North 89°27'11" East a distance of 602.47 feet to a point on the centerline of Main Street;  
Thence South 00°45'04" West along the centerline of Main Street a distance of 700.24 feet to a point on the south boundary of the S1/2SE1/4 of said Section 6;  
Thence North 89°33'54" East along said south boundary for a distance of 1041.14 feet to the Point of Beginning.

The above described parcel contains 31.44 acres, more or less;

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## CERTIFICATION

I, Mary Yeaman, the duly appointed Clerk for the City of Albion, Idaho do hereby certify that the foregoing document is a true and correct copy of Ordinance No. 2008-12-1, adopted by the Mayor and City Council of Albion, Idaho, on the 2<sup>nd</sup> day of December, 2008 and that the original of said document is in my possession as part of the permanent minutes of the City Council of the City of Albion, Idaho.

Dated this 2<sup>nd</sup> day of December, 2008.

Clerk of the City of Albion, Idaho

  
Mary Yeaman, Clerk

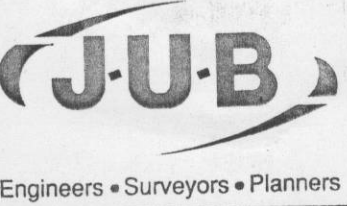
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Exhibit A  
TUB Annexation  
11/20/07

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J-U-B ENGINEERS, Inc.  
115 Northstar Avenue  
Twin Falls, Idaho 83301  
Phone: 208.733.2414  
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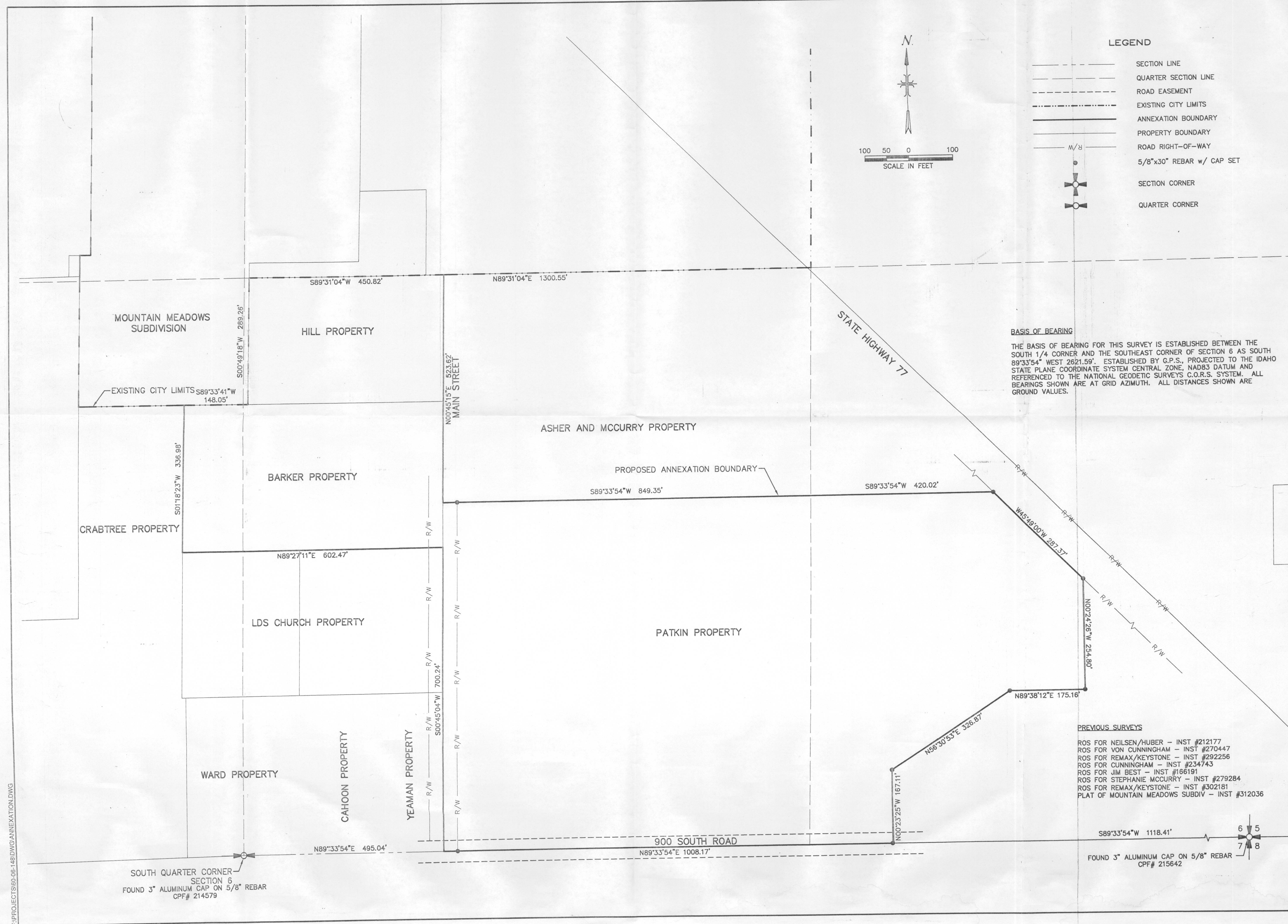


NO.	DESCRIPTION	BY	DATE

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PROPOSED ANNEXATION TO THE  
CITY OF ALBION  
PROPOSED BOUNDARY

FILE: ANNEXATION
DRAWN BY: RLH
DESIGN BY:
CHECKED BY:
SCALE OF SHEET HOR SCALE: 1"=100' VER SCALE: NONE
LAST UPDATED: 9/18/2007
DATE PLOTTED: 9/18/2007
SHEET 1 OF 1



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